A

REPLY

TO THE

Abſolution of a PENITENT,

According to the

Directions of the *Church of England*, &c.

I Once thought to diſengage from this Diſpute, and purſue my Defence no farther: But this Author appearing of a higher Claſs than ſome of the reſt, I ſhall pay him the Civility of an *Anſwer*. I perceive this *Director* of *Abſolutions* was reſolved to diſtinguiſh himſelf, and promiſe ſomething more than ordinary, at his firſt ſetting out: What elſe could make him clap Mr. *Cranburn* in his Title-page, with Sir *William Perkins*, and Sir *John Friend*, and then point it all againſt Mr. *Collier*? I would gladly know how Mr. *Collier* is concern'd with Mr. *Cranburn*, unleſs it is becauſe he never ſaw him; and was forced to abſcond, ſome Weeks before the other was *Executed*? I'm confident theſe are ſome of the *Director*'s moſt plauſible Reaſons for placing Mr. *Cranburn* to my Account. And therefore he never ſo much as mentions his Name in any part of his *Paper*. What then could be the fancy of Garniſhing his *Title* with Mr. *Cranburn*? Truly the Reaſon is pretty obvious. We are to obſerve then, that Mr. *Cranburn*

when he ſuffer'd, left ſome *Diſobliging Sentences* behind him. Now the common People who don't uſe to carry much Chronology in their Head, by ſeeing him joyned in *Print* with the *Executions* of Sir *Will. Perkins* and Sir *John Friend*, would be apt to conclude that they all three died together, or at leaſt were *Abſolved* by the ſame Perſons: And then according to the Logick, and Charity of ſome People, it would probably follow, that whatever they thought Exceptionable in Mr. *Cranburn*, might be thrown upon me.

I'm ſorry to ſee Calumny ſtand thus in the Front of a *Paper*, and am afraid thoſe who begin without Conſcience, will end without it too. The *Director* in the entrance upon his Subject flies out into ſome paſſionate, and very uncourtly Language. The Apology he makes for't is ſomewhat ſurprizing, he tells his Friend, *You know my way, and therefore will, I hope, take the leſs Offence at the roughneſs of the Expreſſions.* (Abſolut. *p.* 2.) It ſeems Preſcription in Misbehaviour is a good Excuſe with ſome Men; and an old Fault is enough in all conſcience to juſtifie a new one. If he keeps to his Maxim, may he have the credit on't.

This *Director* has the ill luck to miſcite me at his firſt Quotation; he makes me ſay, *My Preſence, and Officiating at* Tyburn, *has been too hotly cenſured*, &c. But, by his favour, my Words run thus: *My being preſent, and in ſome meaſure officiating at the place of Execution, has been cenſured with a great deal of Heat.* (Defence, *p.* 1.) Now the firſt way of wording the matter, is ſtiff, Pedantique, and Diſreſpectful; the other, Common, and Inoffenſive. He that does not ſee the difference of theſe two Turns of Expreſſion, has an ill Palate for Senſe: And he that does ſee't, and miſquotes the worſt, muſt lie under a harder Imputation. The *Director* has fallen into this Miſtake more than once, as may be ſeen by comparing *Page* 6. *line* 14. and *P.* 8. *l.* 26, 27, of his *Paper*, with *P.* 4. *l.* 17, 18; and *P.* 5. *l.* 26, *&c.* of my *Defence*. And whereever his Memory fails him, 'tis always for ſome unlucky Purpoſe or other: 'Tis either to ridicule the Expreſſion, or weaken the Argument, or provoke the Reader. And yet after all,

this

this Gentleman has the Reſolution to complain of *Shifting* and *Diſingenuity!* And why am I charged with *Shifting*, &c? (*P.* 7.) For this wiſe reaſon: Becauſe I defended myſelf with Queries, and did not think fit to expoſe my Conduct, or fail in my Duty. The *Director* may pleaſe to take notice that the Queſtions were uſed to put the Objectors upon the Proof; to prevent breaking into the *Confeſſion*, and acting againſt the *Canon*. Were a Man never ſo well prepared, he is not bound to inform againſt himſelf, to declare away his own Safety, or violate his Conſcience. If nothing but the Knowledge of forbidden things will ſerve the turn, Curioſity muſt be ungratified. When People will preſs thus unreaſonably cloſe, the way is to hold them at a Diſtance, and Diſpute at the Arms end. Nothing can be more defenſible than ſuch a Method, while it keeps within the compaſs of Truth. This our *Director* may call *Fencing*, and *Evaſion* if he pleaſes. But I hope 'tis no harm to *Fence* againſt Aggreſſion and Deſign, and to *Evade* playing the Fool, or the Knave. 'Tis preſum'd by the *Director*, &c. That Sir *William* acquainted me with his being privy to the intended *Aſſaſſination*; and that I ought not to have given him *Abſolution*, without publick ſigns of Repentance. But how does the neceſſity of ſuch a ſuppoſition appear? 'Tis poſſible Sir *William* might keep ſome part of his Conſcience to himſelf. The plainneſs of a Caſe, or the niceneſs of Diſcovery, may ſometimes lead Perſons towards ſuch a Reſerve. Our Church does not inſiſt upon particularities, nor make the entireneſs of Confeſſion neceſſary to Abſolution. She Abſolves upon general Repentance at the *daily Confeſſion*: And in the *Rubrick* of *the Viſitation of the Sick*, the *Miniſter* is directed to *Examine the Sick Perſon, whether he repents him truly of his Sins*: But the *Rubrick* does not ſay, the Enquiry muſt reach into every ſingle Circumſtance and Miſcarriage; and the *Penitent* be obliged to lay his whole *Memory* before him. If we will collect the ſence of the Church from her practiſe both at the *Sacrament*, and *daily Confeſſion*, a general Declaration of Repentance ſeems ſufficient. And may not ſuch Conſiderations as theſe perſwade a *Penitent*, That 'tis lawful for him to tranſ-

act part of his Repentance between God and his own Soul; eſpecially if we reflect on the natural averſion there is in Mankind, to diſcover their Failings?

If 'tis objected, *That 'tis very improbable Sir* William *ſhould conceal that from me, which he confeſſed to the Committee.* To this I Anſwer: That Artificial Queſtions, and Surprize, ſometimes extort Confeſſions, which would not have come of their own accord. I don't ſay any thing of this happen'd, but the poſſibility of it is enough for my purpoſe. Farther: 'Tis poſſible Sir *William* might be ſtraiten'd in point of time. I had ſcarcely two Days of private Converſation with him: He very much deſired this freedom might have been longer continued, but it was not thought convenient. Now might not the Examination of private Life, the Interruptions of Company, and the Buſineſs of Devotion, employ the Viſits of a Day or two? The Prieſt is not tyed to any ſtated Method, or Order of Queſtions; but may begin and proceed, at what Heads of Confeſſion he pleaſes: Might not therefore the publick part be refer'd to a farther opportunity, ſince the Execution was at a diſtance, and neither of us under any Apprehenſions of the Denial of Privacy? If theſe unexpected Reſtraints prevented him in ſpeaking his Mind at length, I deſire the blame may not lie at my Door. If 'tis urged, that where there is ground to ſuſpect a Confeſſion imperfect, Abſolution ſhould be refuſed. I Anſwer; That if the uſual Liberties of Acceſs had been unreſtrained, there had been ſome colour in the Objection; but when the Penitent is bar'd the advantage of Privacy, deny'd the Converſation of the Prieſt, and wants leizure to lay the whole of his Practiſe before him, the caſe is otherwiſe. No Man ought to ſuffer for unavoidable Accidents, for things which were utterly out of his Power to prevent. If a Perſon gives fair Indication of Sincerity, and Chriſtian Temper, if there appea s a hearty regret for what has been done amiſs, and he repents as far as he diſcovers; why ſhould the interruptions of Force, and the involuntary Defects of a Confeſſion, deprive him of the Benefit of Abſolution? In ſuch Circumſtances, I deſire to know whether the Prieſt is not bound to go upon

upon Preſumptions of Charity, and to reaſon from the regularity of Behaviour; to conclude that the *Penitent* has compleated his Repentance by himſelf, and confeſs'd that to God, which he could not do to his Miniſter? What fault can the *Director* find in ſuch Proceedings as this? If he would know whether theſe Probabilities I have mentioned, were matters of Fact; I ask his excuſe: I am not obliged to anſwer that Queſtion. The likelyhood, or poſſibility of things comes up to my point. For from thence he muſt grant, 'tis by no means certain, that there was either Negligence in my Enquiry, or over-indulgence in the Abſolution. And then with ſubmiſſion, why ſhould a Man fall under Severities at all Adventures? Why ſhould the Puniſhment be certain, where the Fault is not ſo? Are the Intereſts of Liberty and Fortune to lie at the Mercy of Suppoſitions, and be over-ruled by Conjecture and Surmiſe? Beſides, the ſuppoſed miſmanagement is never to be made out. If there was Truth, there can be no Evidence, without which 'tis ſomewhat hard to puniſh. The Matter paſſed only between Sir *William* and my ſelf. From him there can be no Account, neither is there any reaſon to expect it from me. He that turns Informer againſt himſelf, has a very ſlender ſhare of Diſcretion. Beſides, if I were never ſo well furniſh'd and enclined for ſuch a *Proſecution*, the *Canon* would ſtop it. *(Can.* 113.*)* This the *Director* calls making *Black, White*, *(p.* 6.*)* and gives us a great deal of Flouriſh and Declamation about it. But by the way; I think making *Black, White*, is a better natur'd Undertaking, than the contrary, at which this *Director* ſeems to have no ordinary Talent. However, I ſhall prove againſt this Gentleman that I have repreſented the Matter in its natural Complexion, and made uſe of no Varniſh or falſe Colouring. This will appear by inſpecting the *Canon*; in which 'tis poſitively decreed, *That if any Man confeſs his ſecret Sins to the Miniſter.——We ſtraitly Charge and Admoniſh Him, that he do not at any time reveal, and make known to any the Crime committed to his Secrecy, under pain of Irregularity: Except they be of ſuch Crimes as by the Laws of this Land his own Life may be queſtion'd for concealing*; or as the

Latin

Latin has it, of *which the Concealment is a Capital Offence.* Can. 113.

That this *Canon* is full for the point I cited it, I shall make good by removing two Objections.

First, It may be objected, *That Sir* William's *being privy to the intended* Assassination *was no Secret.*

Secondly, *That the Life of the Priest may be question'd for concealing a Design of this Nature, and by consequence the Case falls under the Exception of the* Canon.

That Sir William's *being privy to the* Assassination *was no Secret, may be pretended,*

First, Because this Charge was Sworn against him at his Tryal: And,

Secondly, Because he owned it in his last *Paper.* To the

First, I answer, That tho I intend not to object against the *Witness*, yet *I* must say in general, That to infer the truth of the *Fact*, from the Oaths of the *Evidence*, is no good reasoning. *I* grant where other Circumstances are unexceptionable, the Legality of the *Sentence* may be concluded from thence: But to be positive any further, is to argue from a false Principle. As long as Men have Defects in their *Memories*, and Irregularities in their *Wills*, there is no depending upon their Infallibility. I desire not to be understood in a sence of Reference and Reflection. However, it seems Sir *William* conceiv'd himself misreported with relation to the *Commission*. This *Commission* the *Witness* lays a singular stress upon, points it upon Person and Design, and swears it in proof of the *Assassination*. On the other hand; Sir *William*'s Paper owns no more than a *general Authority to make War*, without any particular, extraordinary Application. Thus I have related this matter of Fact, without interposing my Opinion.

Secondly,

Secondly, If home Swearing is a sufficient proof of the reality of things, to what purpose is the *Prisoner* allowed to go on in his *Plea of not Guilty*, to defend himself, and weaken the Credit of a Testimony?

But Sir *William* own'd his being privy to the intended *Assassination* in his *Paper*. He did so. And for all that it might be a great *Secret* before. The *Paper* was not publick till after the *Execution*; and then the Absolution was over. In a word, 'Tis ridiculous to make any Inferences from the *Paper* upon me, unless they can prove me pre-acquainted with it.

Secondly, It may be objected, *That the Life of the Priest may be question'd, for concealing the intended* Assassination, *and by consequence the Case falls under the Exception of the* Canon. This is the Opinion of the *Director*, who after he has quoted the *Canon*, puts this triumphant Question to his Friend: *What can any one see here, that should compel Mr.* Collier *to conceal what Sir* William *confess'd to him of the Assassination?* In answer to this Question, tho I don't say, Sir *William* confess'd the *Assassination* to me, yet for the *Director*'s satisfaction, I shall give him all the liberty imaginable. And since *Suppositions* neither affirm nor deny any thing, *I* shall go upon the largest, and the *Director* may make his Advantage.

Put the Case therefore, that a Person Condemn'd should own to his Confessor, that he had been privy to a Design of Assassinating the King, and had his share in the Concert: Granting this, *I* say, the Priest's Life cannot be question'd for concealing the matter; and if not, the *Canon* obliges him to Secrecy. This I shall prove from the Reasons following.

First, Because the bare Concealment of Treason, without any thing of Engagement, or Consent, is not always Treason: Especially if the Acknowledgment implies only a *past* Resolution, and not any intention for the time *to come*. For the purpose. If a Man tells me, That he *once* was in a Design to kill the King: In such a case the omission of a Discovery

ry amounts to no more at moſt than *Miſpriſion* of *Treaſon*, and there the Forfeiture reaches no higher than *Liberty*, and *Eſtate*.

Secondly, There are ſeveral Circumſtances peculiar to a condemn'd Perſon, which alter the common Caſe. For

1ſt, There is no danger that the *Penitent* will diſcover his own Confeſſion, neither if he ſhould, is he a legal *Witneſs* without a Pardon: And this Favour he is in no likelihood of receiving only for the Merit of being Falſe to his Confeſſor. But not to inſiſt upon this, I argue,

Thirdly, That the Law is founded upon Reaſon, and therefore no Puniſhment ought to be ſtretched beyond the reaſon of the Caſe, and the clear Intention of the Legiſlators. Now the reaſon why the Concealing a Practice which is Treaſon in the Deſign, is made Criminal, is becauſe by ſuch Concealment, the Guilty Perſon may be left in a Condition either to execute the Deſign, or eſcape being puniſh'd. But neither of theſe Inconveniences can happen from a condemn'd Perſon. Such a one is diſabled from finiſhing his Deſign, though his Inclinations ſhould continue: And being under Reſtraint, he may be puniſh'd at pleaſure.

So that nothing either of danger or impunity can follow from ſuch a Concealment. And when a Plot is perfectly broken, and moſt of the Perſons concern'd either *Executed*, or in *Priſon*, the reaſons for diſcovering ſuch a Confeſſion, ſink ſtill lower if 'tis poſſible.

Thus I have argued from the largeſt Grounds, and Suppoſitions, and made it evident that the *Canon* did not oblige me to reveal the Aſſaſſination-part of the *Confeſſion*, provided I had been acquainted with any ſuch Thing. And as I obſerved in my *Second Paper*, what the *Canon* does not oblige me to Diſcover, it obliges me not to Diſcover. And if I was bound up to Silence in this point, I deſire to know which way I could publickly preſs Sir *William* to an Acknowledgement, without laying open the *Secret*, and breaking the *Canon*? 'Tis true ſuch a Violation ſeems to ſit lightly upon the *Director's* Spirits. He tells us very entertainingly, That *he who falls under*

that Curſe, is for ever uncapable of giving any more Abſolutions, (Abſolut. *p.* 6.) I own *I* have not the *Director*'s Courage. *I* dare not ſay any thing that looks like Burleſquing the Authority of the Church, and Drolling upon the Power of the Keys. *I* believe the *Church* a more Noble Society than the *State*: that her Original is as Divine, her Commiſſion as Unqueſtioned, her Powers as Significant, and the Ends of her Inſtitution more Important: *I* ſay more Important, as much as Time is outſtretched by Eternity, and Heaven is better than an Eſtate, and Hell is more dreadful than the Gallows. For theſe Reaſons *I* ſhall always deſire to have a great Regard for Eccleſiaſtical Laws, and the Orders of my Spiritual Superiours. Beſides, the *Canons* are Ratified by the King, and can't be broken without inſulting the *Civil*, as well as the *Sacred* Authority. However, the *Director thinks it ſomewhat extraordinary, that a Man who ſtood Sentenced as a Contriver of the moſt Barbarous and Ungenerous Deſign*, &c. *ſhould receive ſo eaſie and ſo glorious an Abſolution!* (p. 2.) *I* have already given him a Reaſon why the Abſolution was ſo Glorious as he calls it, (*Firſt Defence*, p. 2.) Therefore if he pleaſes he may Expoſtulate upon this Head with ſome Body elſe. And as for the *Eaſineſs of the Abſolution*, how comes he to know that? No Perſon ought to accuſe without Certainty: That is the loweſt requiſite. Well! He gueſſes at it becauſe *there was no publick Abhorrence of the Intention*, &c. This *Director* ſure has not ſeen the Report of the *Committee*, Apr. 2d. The not minding of which, he charges as a great omiſſion upon me: The *Votes* of that Day tells us, That Sir *William* confeſs'd himſelf privy to the intended *Aſſaſſination*, and *thought 'twas a fault that he approv'd it*. I hope the *Director* will not diſpute the Teſtimony of the Committee: And if not, the two main Articles of his Charge muſt be drop'd. For,

Firſt, This Confeſſion implies Repentance, as to the Aſſaſſination part. For when a Man thinks he is in a Fault,

he must repent of course, if he is in earnest. *I* say he must do this unless he is an *Atheist*, and such People don't use to press for *Divines* to Visit them.

Secondly, Here is publick Repentance too; and I suppose such a one as the *Director* will not be so hardy as to except against. Will he deny the *Committee* to represent the *Commons*, or the *Commons* the Kingdom? If not, which way could an Acknowledgment be made more publick, or convey'd with better Advantage? Is Confession good no where but at the place of *Execution?* Let him produce any Law of Church or State for such an Assertion. If he cannot, the Objection is at an end, unless he prefers the Authority of the Crowd, to that of St. *Stephen*'s Chappel. If the *Director* replys, That what Sir *William* own'd to the *Committee*, can do me no Service, because *I endeavour to represent my self* Ignoramus, as he decently expresses it. *(Pag. 7.)* My Answer once more is, That this is concluding too fast. I grant I did say, in my first Defence, *That I never saw Sir* William *after his Examination, till* Friday *Noon; nor the Votes that mentioned it, till after that Time.* And upon this I asked, How I could know what Sir *William* had confess'd? And what of all this? The direct Affirmations are all Truth: And for the Question, it can be no disadvantage, for it asserts nothing. Questions don't always imply a determined sence. They are sometimes put to silence an over-inquisitiveness, and check an unreasonable Accusation. Tho I did not see Sir *William* after his *Examination*, till the time he *Suffer'd*, yet there are other ways of Communication, besides Visiting. *I* never affirm'd *I* had no Correspondence with him by Letters, or Message, after I was refused to see him. So that notwithstanding any thing that appears, Sir *William* might acquaint me with what passed between him and the *Committee*; he might repeat the regret he had there acknowledged, and receive Absolution upon that Score. The case might happen thus for ought the *Director* knows to the contrary. For my part *I* affirm nothing: My Office does not give me leave, neither

ther does my Defence require it. But Sir *William made no Reparation* in one reſpect, *but what he was forced to, which made up his Reſignation, and compleated his Penitence.* (*Abſolut. P.* 5.) Moſt Divinely ſaid! This Man ſeems to reliſh an *Execution* extreamly, what elſe could make him inſult the laſt Misfortunes of Gentlemen, and play upon the Agonies of the Dying? Theſe are Exceſſes of Charity, and admirable ſtroaks of Humanity and good Nature! His ſaying that *I* Abſolved *both without, and againſt Authority,* (*Pag.* 8.) is like the reſt. To argue upon the *Director's* Principles. *I* deſire to know, Whether the Prieſthood is not a ſufficient Authority for Abſolution? Had the Apoſtles their Power of Binding and Looſing, from the Civil Eſtabliſhment? If not, where lies the Neceſſity of a Lay-permiſſion? If the Church is not *ſui juris* in matters purely Spiritual, and Independent in the Exerciſe of the Keys, Chriſtianity lies at the Mercy of the *State*, and may be extinguiſh'd at pleaſure. Call you theſe *Directions according to the Church of* England? God forbid! This Divinity comes from *Selden*, or *Eraſtus*, or elſe from *Hobbs*'s *Leviathan*; and makes Religion look like a Court-invention, and a Politique Deſign.

And now at parting *I* ſhould call the *Director* to an account for his ill Language, and return him his Preſent: But *I* hope *I* have learned Religion to better purpoſe; and beſides, *I* ſcorn the Meanneſs of ſuch a Conteſt.

In ſhort, If the *Director* thinks it worth his while to Miſreport, and Inflame, and Sharpen the Edge of Severity, *I* ſhall never envy him the Advantage, but heartily wiſh him a better Employment.

May the 20th.
1696.

J. C.

FINIS.